

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

ERWIN GRAMPP, derivatively on behalf of
JBI, INC.,

Plaintiff,

Civil Action No.: 1:12-cv-10495-MLW

vs.

JOHN BORDYNUIK, DR. JACOB SMITH,
RONALD C. BALDWIN, JR., AMY
BRADSHAW, JOHN M. WESSON, ROBIN
BAGAI, JAMES FAIRBAIRN, GREGORY
GOLDBERG, and THEODORE J. HENRY,

Defendants,

and

JBI, INC.

Nominal Defendant.

**DEFENDANTS' STIPULATED MOTION FOR EXTENSION
OF TIME TO RESPOND TO COMPLAINT**

Defendants John Bordynuik, Dr. Jacob Smith, Ronald C. Baldwin, Jr., Amy Bradshaw, John M. Wesson, Robin Bagai, Gregory Goldberg, and Theodore J. Henry (the "Individual Defendants"), and JBI, Inc., with the stipulation of Plaintiff Erwin Grampp, respectfully request that the Court extend the deadline for Defendants to answer, move, or otherwise respond to the Complaint until July 27, 2012. In support of this Motion, Defendants state as follows:

1. On March 16, 2012, Plaintiff filed the Complaint in this action.
2. Several of the Individual Defendants have not yet been served with the summons and Complaint, including Mr. Bordynuik, who resides in Canada.

3. Counsel for the Individual Defendants has agreed to accept service on behalf of all of the Individual Defendants, preserving any objections to personal jurisdiction, venue, or forum non conveniens.

4. To permit the numerous Defendants sufficient time to prepare their responses to the Complaint, and so that the pleading dates of all Defendants remain on the same schedule, Defendants request that the Court extend the time for all Defendants to file a responsive pleading or motion to July 27, 2012. Notably, if the parties instead proceeded under Fed. R. Civ. P. 12(a)(1)(A)(ii), Mr. Bordynuik would have 90 days to respond to the Complaint as a non-U.S. defendant, and several other defendants would have 60 days to respond.

5. In addition, should the Defendants respond to the Complaint by motion, the parties have agreed to the following briefing schedule, subject to the Court's approval:

Deadline for Defendants' Motions: July 27, 2012

Deadline for Plaintiff's Response: September 25, 2012

6. Plaintiff stipulates to this Motion and the requested briefing schedule.

7. WHEREFORE, the Court should allow Defendants' request for an extension of time until July 27, 2012 to answer, move, or otherwise respond to the Complaint, and enter the above briefing schedule as to any responsive motions filed.

Dated: May 3, 2012

Respectfully submitted,

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